

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HAASHEIM CORNELIUS ANDREWS,

Plaintiff,	:	O R D E R
- against -	:	09 Civ. 1135(NRB)
WILLIAM THOMAS, CAPTAIN PITTMAN, C.O. TULLUCH, C.O. RUSSELL, C.O. BROWN, C.O. MASON, JOHN DOES	:	
Defendants.	:	

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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

WHEREAS plaintiff filed the complaint in this action on February 9, 2009; and

WHEREAS by letter dated August 19, 2009, plaintiff made application for leave to submit an amended complaint; and

WHEREAS a "court should freely give leave" to amend the complaint "when justice so requires" under Fed. R. Civ. P. 15(a)(2); it is hereby

ORDERED that plaintiff's application for leave to amend his complaint is granted; and it is

ORDERED that such leave does not include leave to rename defendant Corrections Officer Brown, who was dismissed from this action by Order dated August 5, 2009; and it is

ORDERED that such leave does not include leave to rename defendant Corrections Officer Mason, who is hereby dismissed from this action because plaintiff has not effected service on Mason to

date and plaintiff's deadline to do so was June 9, 2009 under Fed. R. Civ. P. 4(m) and August 17, 2009 under the extension the Court granted plaintiff on July 15, 2009.

DATED: New York, New York

September 11, 2009



NAOMI REICE BUCHWALD

UNITED STATES DISTRICT JUDGE